

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

NOTICE OF GENERAL PUBLIC INTEREST

NOTICE TO REVISE AIR QUALITY STATE IMPLEMENTATION PLAN

Statutory Authority: S.C. Code Sections 48-1-10 et seq.

The South Carolina Department of Health and Environmental Control (Department) is publishing this Notice of General Public Interest to provide opportunity to comment on the Department's response to meet obligations to the U.S. Environmental Protection Agency (EPA) for the National Ambient Air Quality Standards (NAAQS) for ozone. The Department proposes to address the requirements under sections 110(a)(1) and (2) of the Clean Air Act (CAA) for State Implementation Plans (SIP) in a SIP update known as infrastructure SIP certification. These requirements were developed to assure attainment and maintenance of the NAAQS. In addition, the Department will address elements under Section 110(a)(2)(D)(i)(I) of the Clean Air Act (CAA) pertaining to interstate transport of criteria pollutants. This specifically includes SIP elements covering any emissions activity in one state that contributes significantly to nonattainment (called prong 1), or interferes with maintenance (called prong 2), of the 2015 8-hour ozone National Ambient Air Quality Standard (NAAQS) in another state. Together, the prong 1 and prong 2 elements are referred to as "Good Neighbor" requirements, and the state's submittal is termed a "Good Neighbor SIP." To be considered, the Department must receive comments by 5:00 p.m. on August 27, 2018, the close of the comment period.

The Department is also providing the interested public with the opportunity to request a public hearing on the issue. If requested, the Department will hold a public hearing on September 4, 2018 at 10:00 a.m., in Room 2151 of the Sims Building, 2600 Bull Street, Columbia, South Carolina. However, pursuant to 40 CFR 51.102, if the Department does not receive a request for a public hearing by the close of the comment period, 5:00 p.m. on August 27, 2018, the Department will cancel the public hearing. If the Department cancels the public hearing, then the Department will notify the public at least one week prior to the scheduled hearing via the Department's Public Notices webpage:

<http://www.scdhec.gov/PublicNotices/>. Interested persons may also contact Roger Jerry, Regulation and SIP Management Section, Bureau of Air Quality, 2600 Bull Street, Columbia, SC 29201; via phone at (803) 898-1799; or email at jerryre@dhec.sc.gov for more information, to view a copy of the state's proposed SIP submission, or to find out if the Department will hold the public hearing. A copy of the state's proposed SIP submission is also located on the Department's Public Notices webpage:

<http://www.scdhec.gov/Apps/Environment/PublicNotices/SearchAndDisplay/Display/8595>

Synopsis:

On October 1, 2015, the EPA finalized a revised NAAQS for ozone (80 FR 65292, published October 26, 2015). With this rule, the EPA set a new 8-hour primary and secondary ozone standard at the level of 70 parts per billion (ppb). Sections 110(a)(1) and (2) of the CAA require all states to submit plans to provide for the implementation, maintenance, and enforcement of the NAAQS. Sections 110(a)(1) and (2) further require states to address basic SIP requirements, including but not limited to the following elements: emissions limits and other control measures, ambient air quality monitoring, a program for the enforcement of control measures, adequate resources to implement the SIP, and public notification and government consultation. Section 110(a)(1) requires states to submit SIPs within three (3) years after promulgation of a new or revised NAAQS, or October 1, 2018, in this case.

On September 30, 2016, the Department submitted a request to EPA Region 4 that the EPA designate each county in the State of South Carolina as “attainment” for the ozone NAAQS. The EPA designated all counties in the state Attainment/Unclassifiable (82 FR 54232, published November 16, 2017). Thus, South Carolina meets attainment of the 2015 8-hour ozone NAAQS.

The Department is proposing to certify that it has addressed the aforementioned infrastructure SIP requirements, including those for interstate transport, pertaining to the 2015 8-hour ozone NAAQS for South Carolina, and that South Carolina’s SIP contains adequate provisions to prevent sources or emissions activities within South Carolina from contributing significantly to nonattainment in, or interfering with maintenance by, any other state with respect to the 2015 8-hour ozone NAAQS, as demonstrated by the EPA's air modeling. Pending the receipt of a request for a public hearing and/or any comments received, this amendment to the SIP will take effect 30 days following publication of this Notice in the South Carolina State Register, after which, the Department will submit a final SIP certification package to the EPA for approval.